Official Resolution re: Ratification of Amendment to Article 334 of the Constitution of India.

(Discussion continued)

MR. SPEAKER.—Before the Hon'ble Member Sri Shamsunder commences his speech, I would like to inform the House that it can discuss this subject for one hour and forty five minutes today. So, the members would see to it that as many members as possible are accommodated within that time.

†SRI B. SHAM SUNDER (Bhalki).—Sir, before continuing my yesterday's speech from where I left it, I would like to say a few words about the unfortunate incident that took place at Kethmaranahalli. I had sent an adjournment motion about it.

MR. SPEAKER.—That is now finished. I have disallowed it.

SRI B. SHAM SUNDER.—All right, Sir, Yesterday I was referring to my friend Sri Kothawale who was speaking about majority and minority. He was telling the House that simply because the minority could not get the required number of votes to protect their interest the majority had come forward to contribute their own votes and get them elected. The very words 'majority and minority' require some thought to be given to them. The word 'majority' has come down from the British history. In India there was no majority and minority conception. We were ruling here and living here as castes and subcastes. When the political ideology which was propounded in the western countries reached this country, we were thinking in terms of majority and minority. It is a word given to us by the western philosophers. We would like to know what is majority and what is minority and what is meant by the word 'majority'. In European countries majority can be turned into minority. The majority ideology can be changed at times. There are two kinds of majority-one is the political majority which exists in western countries and the other is the communal majority. In India the majority is the communal majority and it is maintained at the cost of the minorities in this country. We are now under the clutches of a communal majority throughout this State. To say that the majority has come forward to give us something out of grace is something unthinkable. I do not think that the communities in India are themselves united. You go to any part of India and you will see one party separated from the other. Can any Scheduled Caste man think that he can ever become the President of India or the Prime Minister of India, or at least the Chief Minister of this State? Certainly not. My good friends, my good cunsellors, the followers of Mahathma Gandhi, the Father of the Nation they got elected 24 members from the Scheduled Castes and Scheduled Tribes to this House. There are 24 of them here and when the question of representation in the Cabinet comes, we are given one and a half Ministers. Looking to their population strength, a Scheduled Caste man should have been the Chief Minister of this State. We cannot think in terms of that because the communal majority is backed and fortified not only by these castes and creeds but also by the economic resources of this country. The entire land, *i.e.*, 99.999% of it vests with them, the entire business vests with them, the entire commerce and transport vests with them and even the entire posts are with them. They should not say, "We got them elected". Sir, you have said in your nice book that in the foreign countries when a party gives tickets, it examines the candidate and tries to know whether he is a person of integrity. Not only that but it tries to know whether the wife of that person is capable of assisting and helping her husband and how far she will be helpful and useful to the country. But here instead of giving tickets to the husband we conveniently give the ticket to the wife herself. I can assure you that a day will come when the political parties will try and get all the women elected to rule us by their wives. Certainly, it is not an unimaginable

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thing because you can argue that women are in the majority and you want the majority group to rule the country; I say this with due respect to my sisters on that side. I do not mean any offence.

I say this not because I want to press all these things with a separatist tendency or outlook. As one nation and as one community we have to think that people are above political ideologies, communities or any such thing.

Now let us think where we are going, how far we are going in that direction of aiming at one nation and where are we taking our country. Sir, the question of minority and majority is being used for achieving some personal ends and interests. I do not want to dilate much upon this but that is what the majority and minority mean today. Let them get elected good people. we are not enamoured of these places. In fact a year ago I was thanking of resigning even this Assembly seat. After all, what is the use of my being here today? There are 24 people on that side yet it is of no use. Numbers do not count but its the quality that counts. I will give you some examples about the election. when Dr. Ambedkar contested at Bombay, his rival candidate, the Communist leader Sri Dange succeeded. He told all the voters that they should not vote for Dr. Ambedkar and that both the votes should go to him. Dr. Ambedkar went to the High Court and filed a writ petition but he failed. In my own constituency, about 72,000 votes were invalid because the general candidate had asked the voters to put into the other box of Mr. Bedar. I had contested for both the seats and it is by chance thot I have come in here. There is no future for us and we do not expect that we will come up again. But then what is the future going to be? You know fairly the verse in Urdu.

If my friends want I will translate it. It is a blooming garden of flowers and bees and thoughts. 'Every petal of the flower moves. Every leaf knows where I stand and even the thorn knows what I am. But, I am sorry to say the protector of the garden knows nothing about me.'

So, in what conditions we have been left everybody knows. What is the sort of political conditions that we have? You say "don't follow communal consideration". You give good sermons. We are the greatest Deshabhaktas that any country has produced. Only a certain part of your deeds is enough to disprove this philosophy. I will tell you one more thing. Dr. Ambedkar failed twice in his place to get him self elected. He had to run to Bengal. My friend Sri Burman gave himself a seat. From there he was elected to the Constituent Assembly. Otherwise he would not have been elected and he would never have been the Chairman of the Drafting Committee of the Constituent Assembly.

SRI C. K. RAJIAH SETTY (Chiknaikanahalli).—He does not come from Karnatak.

SRI B. SHAM SUNDER.—We rae all one; We are all Indians. The Finance Minister in his first Budget speech has said that the division of India has created several problems; that we have to still achieve psychological and emotional integration. Are you trying for it?

These are all historical facts. When Ashoka Mehta, the leader of the P.S.P. set up a candidate, the Congress party did not set up any rival candidate. The same thing happened in the Communist party. But what happened to Dr. Ambedkar? Supposing he had got himself elected, do you mean to say he would have done anything against India? Do you think that we will do anything against the interests of India? We are not enemies of our country. You are driving us to something else. This is the last and last thing which I want to say. The scheduled caste people are driven from post to pillar. Even after 12 years of passing the Constitution, what have we achieved? As far as services are concerned we have a representation of only 1.4 per cent; as far as lands are concerned, we have nothing. In the matter of housing, etc., we have nothing. Our huts are being removed

everywhere. The process which was started some thousands of years ago when Aryans invaded India still goes on. Cities were formed and scheduled castes were driven away from the cities. The same process repeats even now. Kempegowda had fixed the boundaries for the city. Now the city is extending and we are not in the place where we were before. The scheduled caste people erected huts here in the heart of the city. They are slowly being removed and they are now going to the outskirts of the city. What is your policy ? You say that you want to take them to your faith and you want them to become kith and kin of your society. Where is psychological and emotional integration in the country ? It is to be found nowhere.

You have to be aware that you are growing your own enemies ; you are increasing your own opponents. One day or the other it will so happen that the entire population will be in reverse direction. These are days of several movements. In India there are several movements working. There is the Communist movement, Socialist movement, Nationalist movements and so on.

I shall just bring to the notice of this House a recent happening. A few days ago when nominations for the Presidentship of Congress were announced Sri K. Hanumanthaiya also filed his nomination papers. Afterwards he withdrew it with a remark that he had sent up his nomination, since from the inception of the Congress in 1894 no candidate from Karnataka was ever elected for the Presidentship of the Congress. I would ask; has a member of the Scheduled Castes been elected to any high office in the Congress organisation ? Has any such person become the President of the Congress ?

10 A.M.

Sri N. RACHIAH (Minister for Agriculture, Excise and Social Welfare).—Sri Kakan was elected as President for Madras.

Sri B. SHAM SUNDER.—That is an old story. That was given gratis. I am speaking of the all-India Congress organisation. Sri Rachiah is also a member of the Cabinet. I am not speaking of persons who have somehow smuggled themselves into power. The other day I stated clearly that most of the persons who are today in the Congress and who are enjoying power and position, were not Congressmen at all till yesterday. Because they were attracted by the loaves and fishes of office they walked into the Congress and since then they have forgotten the people for the welfare of whom they paomised that they would fight. They do not want anybody else to share with their power.

MR. SPEAKER.—How long would the Hon'ble Member take to finish ?

Sri B. SHAMSUNDER.—Another twenty minutes.

MR. SPEAKER.—That would be too much. Does the Hon'ble Member desire that others too should have a chance to speak on the subject ?

Sri B. SHAM SUNDER. If you would allow me to say so, Sir, I spent a sleepless night yesterday. This is a question of life and death not only for the Scheduled Castes as such, but for the entire nation. A solution of the problem alone can tell us as to which way we are going. The problem of the Scheduled Castes is not the problem of that community alone ; it is a problem for the entire nation. Our success as a nation depends upon how we solve this problem.

MR. SPEAKER.—We will adjourn for recess and the Hon'ble Member can continue later.

The House adjourned for recess at Five Minutes past Ten of the Clock and re-assembled at Forty Minutes past Ten of the Clock.

[MR. SPEAKER in the Chair]

Sri B. SHAM SUNDER.—Sir, I was dealing with the question of amendment of article 324 of the Constitution and I was telling that the reservation given to Scheduled Castes was not properly

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utilised for the benefit of the Scheduled Castes. I even went to the extent of telling that the callousness of the political parties and the political groups in our country might lead to the destruction of the country. I was telling that as you were losing the Scheduled Castes persons, some others were securing them to strengthen their fold. As I was telling, the internationa movements of the foreign powers are now on the march and they are taking keen interest in our country, not only in our country but in almost all the backward countries of the world. There are two or three such movements. There is the Communist movement which tries to exploit our communal situation to further its aims and objects. To counter this Communist problem, there is another movement which is coming to this country from a distance of about 7000 to 8000 miles. The so-called capitalist classes of the Western countries, especially America and the Anglo-American Block are much interested in warding off the Communist movement in this country and in other countries of the world. These wo forces which are working amongst the masses in the eastern countries will naturally play their part as far as the Scheduled Castes are concerned. Those days are gone when one country could conquer another country by arms. A few days ago I read an article in the Reader's Digest under the caption "War without death". The writer of that article says that in future we need not use bombs and shells, but we can use gas to paralyse a whole nation. Certainly that may happen. When such a situation comes, one cannot say what will happen. In our country they are talking of co-existence, but we must know what will happen when we are talking of co-existence. In our country there is another movement backed up by the western religious movements. I am not against religious people, but I am against all Gods put together as one God. I am against the religious movements which draw their inspiration from political parties and political movements. Especially, the Christian movement in India has been utilised to further the cause of the capitalist countries. The Pope was kind enough to say that a vote to the Communists was a vote against Christ. When they are proclaiming like this openly, we can easily visualise where our country is heading to. I want to repeat here what I said in my constituency three years ago. The other day I had been to Bidar. Three years ago there the Christian population was only 22,000, but within a period of three years the Christian population has come to 30,000. I discussed this matter with the Deputy Commissioner there. I am not against Christians. I do not say that Christians are bad people. I must say that I am indebted to the Christian movement to a certain extent. They have contributed much to the progress of the untouchables; they have come to the rescue of all ailing people in our country. So I am not against the Christian movement. But when this movement is controlled and run by somebody else, a day will come, not today or tomorrow but at least after 50 years, when the Christian population will grow to such an extent that they will have a say in the government. Where will you be at that time, losing us for ever, losing the country for ever? The problem of the untonchables is, as I have said, not a problem of one particular community or caste or class of people. It is a problem of the entire democratic countries in the world. It is a problem of our nation. So I request my friends in the Government to consider this matter very coolly. These are not matters of political ideologies. These are matters of political groups and political parties. If this problem is allowed to remain like this, the future of the entire nation will be at stake. A day will come when the Christians and other communal parties will exploit the situation for their ends. Unfortunately, today in India we are made to think in terms of c a s t e s, sub-castes, classes, sub-classes, etc. But a new class of people having a political ideology is springing up. If we go at this rate in our

country I do not think we can contribue anything to the progress of the untouchables, nor even of the country. I will try to analyse the situation in our country and say that ther are two classes. In the Western countries they have two classes, the capitalist class and the other, as they say, the haves the have-nots, but in India the two classes are the superior class and the inferior class. In Europe a man might be a have-not, a poor and a penniless man, but he does not belong to an inferior class, but in India the classes that we have are superior class and inferior class. How to eradicate this is the problem. It is not my problem, it is the problem of the entire country. The problem is how to wind up the superior class which is conscious of its superiority complex and how to bring up the inferior class people to the standard of all human beings everywhere. The superior class is never willing to take the Scheduled Castes and the inferior class people as one of them. Unfortunately, the crux of the problem is that the inferior class is not struggling to come up to the standard of the superior class. I will give an instance which happened 10 years ago. I was standing outside my house in Hyderabad. There was a tap there. One woman was filling her pot with water. Another woman was watching that. The first woman asked the other woman to help her to carry the pot, but the other woman said that she could not touch it as she was an untouchable. She said: "I do not mind helping you. but if I touch you God's curse will fall upon me. I do not want that." That is the mentality of the people throughout India. The problem is how to eradicate this. Unless this mentality is eradicated, there is no salvation for our country.

I am told that the Communist Party stands for the working class people. It wants to bring up the down-trodden people to the level of other human beings in the world. The Communist party has been talking in this fashion for so many years, but I want to ask: Has it produced a single Scheduled Caste man as the leader of the Communist Party? No. Take the list from the beginning-Dange, Gopalan and my friend in this House also. Who are all these? Sir, this is how we are and how we are developing. This is how these political parties are exploiting us. Have they produced a single Scheduled Caste leader?

Sri N. RACHIAH.—What about the party to which you belong? Has it produced any Scheduled Caste leader?

Sri B. SHAM SUNDER.—Sir, I may tell you, every one of the members of our community is a leader of the community. We are politically and economically backward and hence we are keeping quiet. As time comes, we are going to exploit the situation and we will shake hands with you and claim equality in every respect. Do not think that you will keep us under subjection for all time to come. In such an event, I will never allow you to be our leader; I will allow it to go to somebody else. Sir, I wanted my friend Sri Rachiah to be the Chief Minister of this State. If he is content with only the crumb thrown to 21 members, I do not think this is going to solve the problem of Scheduled Castes. Sir, one Anderson has written a book. It is a wonderful book and it is one of the classics in English literature. He says that the so called untouchables in India are the heads and hearts of the people. They are the people who collect the revenue. They are the people who guard the villages. These are the people who work as village officers, not the Patels, Patwaris and the Shanbogues. These are the people who bring news to others if anybody dies in the village.

Sir, what is happening now? The party in power has unfortunately divided India. If India had not been divided, the course of events would have been something else. Again the history would be repeated. Long ago the Hindus ruled this country. The Muslims and the Christians also ruled this country. Now, a time for the Scheduled Castes has come. The leadership is springing up. If it is thought that the problems of Scheduled Castes would be solved by their joining the Congress party, it is

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wrong. I am the leader of my community and I am the leader of my people. I oppose you whenever I get a chance. Sir, my friend Sri Rachiah knows that 93 Parliament Members sent a memorandum to Pandit Nehru to include me in the Centre. All those people have joined the Congress. Pandit Nehru was pleased to appoint Mehta. I opposed it, Why? Unless the Scheduled Castes people form the bulk of the opposition, they will not rise. In the Mon ego system of education, it is said that if there are two systems and the standard is put together, the poor becomes the poorer. In the same way, if you join the Scheduled Castes with the Hindus, there will be always the feeling of inferiority complex. This is what is happening now. Sir, there is a Urdu verse:

"Na samjoge, na samjoge..... Hindustan."

"Oh! people of India, if you do not understand the situation and look how we are, a day will come when even the name of yours will not be mentioned in the History of India"

That is what is going on. Sir, we have tried, we have struggled for separate electorate, not because we wanted to be opponents to you; certainly not. If that separate electorate had been given to us, I am sure, we would have come to the standard equal to you. You failed in it. The communal majority of India has betrayed us. In the general electorate we have seen, that the reservation given to the Scheduled Castes is taken away. What has been given with one hand, has been taken away by the other Sir, they speak of merit. Can anybody question the merit of Dr. Ambedkar? If a merited person like Dr. Ambedkar is defeated, why do you speak of merit? It shows that you do not consider merit at all. You only want people suited to you. If an eminent person comes to you to get a ticket for election, you will have a talk with the man and if he looks clever, you will say, 'this man looks very clever; let us find out somebody.' This is what is actually happening. Sir, one of our friends here, Sri Narayanappa tabled a resolution about Toties and Talaries. What happened to the resolution? The other day, he came here and said that he would withdraw it. Such things are happening here. Think, whether it is proper to have us in a separate land in the same country. Why not we demand a separate homeland itself? Why not demand a separate country itself? Sir, ours is an ancient country in the world. This Hindustan, Jambu Dweep, has been divided by people who recently came to India. When Shabudeen Gori attacked India, he took Jayachand to help him. When Shivaji was fighting against Moghuls, the Maratas were protecting the interests of Shanshah; when Sikh leaders were fighting against the English, Dilip Singh protected them. This is our history. I am afraid we cannot guard the freedom of the country which we got from our friends 6,000 miles away. If we lose this country, what will be our fate? A day will come when we will decide to have a separate homeland for us. Let our friends come forward and say: "we want that you should be with us; come on and take your seat". You hand over power to us. Let us be the custodians of this country; let us be the trustees of the entire nation. Then no one will shake us. The power is in your hands. You should hand it over to us.

11 A.M.

I oppose this resolution with the aim that the country should realise the situation. My friends on the other side number 150. I request them to write to the Central Government giving all the details of the discussion which has taken place here. Let them bring to the notice of the Central Government the views expressed by us. They will also realise the situation. My friends here are in power. It is very difficult to give up power. One thing Shakespeare put in the mouth of Cassius. I will give you another proposition. You want to have reservation. Let us put together. No party should come forward, neither

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the Congress nor the Socialist nor the Communist nor any party should come forward and set up their candidates. Leave the entire situation in our hands. We will settle this ourselves. This is not a Finance Budget; this is not an ordinary law that can be passed by only votes. I think this is the best course for us. Let this House, let the Mysore Legislative Assembly give a lead to the entire country by following a new course by suggesting new methods to the Central Government. I trust the Central Government will go into them. I can quote a number of instances where people who do not belong to Schduled Castes have come forward, got certificates and entered Government service. It is not a question of appointing committees and giving one seat in it to the Scheduled Castes. We want to have equal opportunity. If you are a Chairman there, let there be a President belonging to Scheduled Castes here; if there be a Public Service Commission, let a Scheduled Caste member be there. Then we will understand you are treating us with equality and you are sharing power. I never wanted to place this state of affairs before this House because I have placed it many a time. I thank you for giving me an opportunity to speak. I thank the entire House for giving me a patient hearing. I think the members have appreciated the view-point I have put forward because they have heard me calmly and quietly. I do not think this resolution will come again after another 10 years. We had a conference of the All-India Minorities Federation over which I presided. Master Tara Singh also came there. Leaders of Muslim community came there. If you want us we will co-operate with him. There is no harm. There is no difference between your name and my name; just like the name of Krishna, I am Shyamsundar. If you want I will co-operate. Otherwise there will be other methods. Thank you.

†Sri M. C. NARASIMHAN (Kolar Gold Fields)—I want to know whether under article 368 of the Constitution, it is necessary at all to take up this resolution because the Constitution has already been amended. Article 368 does not require, according to me, this House to ratify. If you read the proviso to article 36 it only refers to articles 54, 55, 73, 162, 241, Chapter IV of Part V Chapter V of Part VI, or Chapter I of Part XI. It is only part 16 of the Constitution that refers to article 334 for which an amendment is now proposed to be made. The proviso to article 368 does not mention it. I want a clarification from you. There is nothing we can do about this resolution. We cannot introduce any amendment. Apart from that there is no constitutional requirement.

MR. SPEAKER.—We cannot undo what has been done. All the views of the House will be communicated.

SRI M. C. NARASIMHAN.—Is it of any value at all? I am definitely of the opinion that it is of no value.

MR. SPEAKER.—They have asked for our views.

†SRI V. SRINIVAS SHETTY (Coondapoor).—Sir, it is a confused state of affairs. I was thinking that the Members of the Scheduled Castes would at least clarify the issues so that I could learn something. I was hesitating to take part in the debate itself. The more I hear them, the more I get confused. I can understand and sympathise with their point of view. It is not difficult. Centuries of frustration, dissatisfaction and subjugation gives a point of view and brings a state of affairs where of course, we get angry. That is not unusual at all. It is more an emotional psychological and sometimes a pathological question from both sides, from the Caste Hindu point of view and from the view of the Scheduled Castes.

[SRI B. RACHIAH in the Chair].

There is no difficulty in understanding that point of view. There is no gainsaying the fact that almost everybody without exception wants the uplift of the Scheduled Castes as early as possible, at the earliest possible moment. In spite of what I say, what I criticise with all the bluntness, the Government have done enough. Only there are certain drawbacks, certain points of view, which is of course difficult to understand sometimes, but

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I am happy to say that the situation in India is much better than what it is in some other countries. I was trying to understand why my friends were opposing this amendment. I had just a discussion with them. I was thinking that it was brought in good faith with a view to helping the Scheduled Caste people. But then I read the news that some of the Congressmen absented themselves from the Parliament on the 20th or 21st. I read the news also that some of the members did not want to take part in the discussion and were opposed to the amendment. I do not know to which community they belong. I told my Scheduled Caste friends that this amendment was absolutely necessary; it is my point of view; I am subject to correction. I feel it is necessary. What is happening in our State, what is happening in this House? Each man for himself; each Minister for his own community; each caste working for itself. That is what I find. What each Minister is doing is he is looking after the interests of his community. Supposing there are not enough number of members of the Scheduled Castes in the Assembly.....

Sri J. P. SARWESH (Serum).—The Chief Minister is prepared to agree with you in your views.

Sri V. SRINIVAS SHETTY.—It is not for his agreement that I am stating the views. We have not overgrown this attitude of our looking after our own people. We have got tribal instinct; we have not overgrown this instinct. Our tribal instinct is so strong that each one of us wants to help his own man, his own community; first of course, our own relations, then our own community people. Even if the members on the other side refute my argument, the plain fact is there. I am quite sure that if this amendment is not there, please excuse me if I say, there will not be even a handful of Scheduled Caste people in this Assembly. If this amendment does not come into force, if we do not extend the reservation for another 10 to 20 years, I am sure that not even half a dozen members of the Scheduled Castes will be in this House. Does my friend Sri Arumugham or Sri Shamsunder or any one think that it is possible with this tribal instinct to win in a general election against a caste Hindu?

Sri N. RACHIAH.—Is it your opinion that until this tribal instinct is removed, the reservation should continue?

Sri V. SRINIVAS SHETTY.—I am going to say that. This tribal instinct has been here for generations, for centuries. If we say that we have to wipe it out in a day, I do not think it is possible, just as it is not possible to wipe out the question of Harijans in a day. It will have to take time; we have to reach the goal slowly, gradually, and not in a day. The tribal instinct will not be wiped out in a day; how long it will take, is left to you and me. We are struggling to get out of the obnoxious circle. Suppose you say that the election is open to anybody, and that any man can contest the election. What happens? In no constituency are there a majority of Scheduled Caste voters. I heard one of the members saying that the best would get elected. My own experience is not like that. It is not the experience in England. The best do not always get elected. If any member thinks like that, he is in a fool's paradise. I will give one instance. I read the biography of Conon Doyle, one of the richest gentlemen, one of the famous men, who contested the elections thrice and failed every time against the non-entities and nincompoops. If you think that always it is the best man who gets elected, it is not correct. Sometimes it happens that one good man may be elected, but generally it is the mediocre persons who get elected by influence, by money, by so many things.

Sri KADIDAL MANJAPPA (Minister for Revenue).—It is a compliment to all of them.

Sri V. SRINIVAS SHETTY.—Let us not think that we are the best of the lot. We are only representatives of the common man. So in the case of the Scheduled Caste people also, always the best man does not get elected at

all. If there is such amendment, I doubt whether even half a dozen Scheduled Caste people will be elected in the next general elections. Who will look after the interests of the Scheduled Caste people in this Assembly? If you think that Caste Hindus only will look after the interests of the Scheduled Caste people, you are again in a fool's paradise. For some years to come, for another 10 or 20 years to come, you and the Scheduled Castes alone will have to face it. So I say that this amendment is absolutely necessary in the interests of the Scheduled Caste members themselves. I am fully convinced that this is an amendment of my friends. I do not also fully believe in the *bona fides* of the ruling party. They are exploiting the situation for their own ends. As I said, I do not see eye to eye with all the things they say. The problem of Scheduled Castes is exploited to the advantage of the ruling party. Funds are given, lands are given and grants are given to bolster up certain individuals. That is not the way. It should not be done. Everywhere I find that one party takes advantage of this. It wants to hedge off Scheduled Castes from other parties. That should not be the way. I am suggesting to the Minister for Social Welfare that if he wants his community to come up let him not think it can come up with the help of the Congressmen only.

Sri N. RACHIAH.—That is why there are five members in the Opposition.

Sri V. SRINIVAS SHETTY.—In spite of it they have come. It is no credit to you. I say the Congress Party or the ruling party is exploiting the situation for its own purposes. This should stop.

Sri C.J. MUCKANNAPPA (Gubbi).—(Addressing the Minister for Social Welfare Come this side and Government will collapse.

Sri V SRINIVAS SHETTY.—I would like to make one suggestion with regard to this. If they have really got the interests of the Scheduled Castes in their hearts they should do one thing *i.e.*, they must see that the best among the Scheduled Castes come to this House. The best among them should be elected to the Assembly. Though, as I said, they may or may not come, the intention or the idea of the ruling party should be to see that the best are elected to the Assembly.

Sri N. RACHIAH.—If the Opposition do not put up their candidates, they will come.

Sri V. SRINIVAS SHETTY.—That is a weak-kneed argument.

What happens now is, the Congress people in a double member constituency select candidates among the Scheduled Castes. Whom do they select? Do they think that they are selecting the best among the Scheduled Castes? They select their *chelas*; they select "Yes" men.

Sri J. H. SHAMSUDDIN (Deputy Minister for Finance).—Just like you.

Sri V. SRINIVAS SHETTY.—That is another day; not now. They select weak-kneed gentlemen, gentlemen who will not say 'no' to them. I am not referring to you. Sometimes it so happens that only such people who say 'no' will be selected for a double member constituency. They will be financed by rich Congressmen. In a double-member constituency only such people can come because it is a very big constituency and for a poor man like me it is not possible to fight elections at all. I tell you that it is impossible for any Scheduled Caste member in the whole of India to fight in elections in a double-member constituency without the help of some man. Who is that 'some man'? It is the rich Congressman. It is impossible for him to tour the constituency and fight in the election. After getting a seat what can he do? Only such persons are chosen. Can not you remove this Gordian knot and select the best among the Scheduled Castes? When that is not possible, remove the double-member constituency. You have to make a rule that in a constituency where only Scheduled Caste members contest it should be a single-member constituency. What happens? Only Scheduled Caste members can contest and the best will have to come.

(SRI V. SRINIVAS SHETTY)

Even the Caste Hindus will have to vote for the best among the Scheduled Caste members. I do not think they would vote for an idiot in a single-member constituency. This rule will avoid the vicious circle. If you want, make reservations for a period of ten years or more. I welcome it. But see that the best among the Scheduled Castes come. Let them not attach themselves to the strings of the Congress Party or P.S.P. or any other party. Only the most educated, capable and deserving persons among the Scheduled Castes will contest and come to this Assembly. I appeal to the members of the Cabinet and others on the other side to see that this vicious system of attaching members of the Scheduled Castes to Caste Hindus to fight in a joint electorate should be abolished and that the best among the Scheduled Castes should fight in a constituency where there are a large number of Scheduled Caste people but the Caste Hindus are bound to vote for them. That is the suggestion I am making.

With due humility I must say that I am surprised to find that there are differences among the Scheduled Castes themselves. They are not united. They accuse the Caste Hindus. I plead guilty to the charges. I am not happy that I am a Caste Hindu. I am not proud of it. But it is inherited. I cannot cast it off. Cannot the Scheduled Castes also cast off this sectarianism among themselves? I am appealing to them not to fight among themselves, but join together. It is my unhappy exprience to see them fight among themselves. They should be united and I find they are not united at all. I did not like some of them saying that Caste Hindus were behaving like this or like that. Why not they correct their own mistakes? I appeal to them in all due humility that in their own interests they must get rid themselves of the sectarianism existing among themselves. It does no good to them. It was also brought to my notice that there was an attempt to remove certain very backward communities like Beda, Koracha, Korama, Silliketha, from the list of Scheduled Castes. There is a serious move, I am told.

AN HON'BLE MEMBER.—Voddars also.

SRI V. SRINIVAS SHETTY.—Yes, Voddars also.

†SRI N. RACHIAH.—If you permit me, Sir, I would like to make it very clear that there has been a directive of the Central Government that Scheduled Castes should be determined on the stigma of untouchability and that such of those as do not suffer from that stigma should be removed from the list. We are only making a recommendation to the Central Government who in turn will submit the list to the President. It is the President that has got powers to include or exclude those classes of people. As such Government has no power to include or exclude these classes. It is the Advisory Board for Scheduled Castes and Tribes that have opined that those classes which do not suffer from the stigma of untouchability should be excluded from the list. Government here have not taken any decision; they will make a recommendation to the Central Government.

MR. CHAIRMAN.—Have they not been included under Scheduled Tribes?

11-30 A.M.

SRI N. RACHIAH.—It is only an opinion expressed. It is not accepted by the Government. It is not a question of advising the Government. We are submitting the list to the Central Government and the Central Government will make all these additions and exclusions

SRI B.L. NARAYANASWAMY (Mulbagal).—Will such a list be placed before this House for consideration?

SRI N. RACHIAH.—When there is a dead-line that only people who suffer from the stigma of untouchability shall be included andothers should not, I do not think any usefulpurpose will be served by placing it before the House.

(*Sri C. J. Muckannappa rose*)

MR. CHAIRMAN.—This is not the occasion to ask for clarification from the Minister, unless he yields.

Sri C. J. MUCKANNAPPA.—It is on the statement made by the Leader of the Opposition that Government wanted to clarify the position. There are some communities which are likely to be taken away and excluded from the list of scheduled castes. Will this question be discussed on the floor of the House and will the Government be pleased to take the opinion of this House ?

†Sri N. RACHIAH.—No, Sir, even without discussion, if the Hon'ble Member were to convince the Government that they belong to untouchable communities, we will certainly include them in the Scheduled Caste list. If they do not suffer from the stigma of untouchability it is left to the Central Government to recognise them or not as Scheduled Castes. Moreover, we have not taken any decision. I want to make it clear that what some Hon'ble Members are referring to is only the decision which the State Advisory Board of Scheduled Castes and Scheduled tribes has taken. The State Government has not taken any decision on this. Government will examine all these points and then make a final recommendation to the Government of India.

Sri V. SRINIVAS SHETTY.—Sir, I wish to point out once more that the question of untochability may not come into the picture just now. We have passed that stage. The question whether a set of people are poor and backward educationally and economically is the most important consideration. If the Government recommends that these poor communities are really backward- not less backward than the other Scheduled Castes communities, all the benefits that they have been enjoying by being in that list of Scheduled Castes must be vouchasafed to them. Personally, I feel that they get equal benefit with the Scheduled Castes and Scheduled tribes. If you now say that untochability is the principle on which you decide whether a person belongs to Scheduled Caste, the person who is to be excluded under this classification, will not be happy and no one will be happy. Personally I feel that educational backwardness and the economic backwardness should be the criterion that should be applied.

Sri N. RACHIAH.—That is beyond the powers of the State Government. It is only a power that vests in the Central Government.

Sri V. SRINIVAS SHETTY.—If the Government are going to recommend that they should remove certain communities from the list of Scheduled Castes, let them at least continue to have these benefits that have been given to them all along, which they are at present enjoying. Personally, I feel that if you take touchability as criterion, it is very unjust. It would be very unfair for those communities to be included along with Vokkaligas or Lingayets. If they are economically and educationally in a fit condition to be classed with Vokkaiigas and Lingayets, I personally would be very happy. If that is so, why do you include them in the list of Scheduled Tribes ? When you say that you are recommending them to be included in the list of Scheduled Tribes, are you really satisfied that they are educationally, socially and economically on a par with other backward classes like Lingayets and Vokkaligas? Personally I feel very sad about them. But I do not know much about their position. Government should know better and they are better judges in these things. If you are not convinced that educationally, socially and economically, they are more backward than the other backward classes, then why should you include them in the list of Scheduled Tribes? Personally, nobody is happy about their position, because we want all backward communities to come up to the standard of other communities. It is not a question of distinguishing between Harijans and Bovis. They may be practically in the same position.

Sri N. RACHIAH.—What is your opnion ? If they are classified as extremely backward classes and if they are ensured all the educational facilities, but not the political ones, what is your opinion ?

Sri V. SRINIVAS SHETTY.—Personally, I may be satisfied. But I would like to ask, what is the difficulty in including them under Scheduled Castes? Why should you make it a matter of sentiment? How does it harm you? If you say that you are going to give them the same benefits by putting them in another category, what prevents you from including them as well in that list of Scheduled Castes?

Sri N. RACHIAH.—Is it your opinion that even backward classes should be included in this list?

Sri V. SRINIVAS SHETTY.—My opinion is that if you find any set of people as backward as the communities you want to include under Scheduled Castes, you must include them also in that category. The question of untouchability alone should not be the criterion.

Sri N. RACHIAH.—Educationally and economically they may be backward. But they are not so backward socially.

Sri V. SRINIVAS SHETTY.—Sir, may I say that considerations of social backwardness do not take a person very far. What does it matter for a person if he is economically and educationally in an advantageous position, but socially he may not be so well off?

Sri N. RACHIAH.—No, it must be all round.

Sri V. SRINIVAS SHETTY.—Therefore, Sir, what is more important is economic and educational backwardness not so much the social disability. I would, therefore, request that you should not exclude any communities on the test of touchability alone. Please therefore include Bovis also in that list. I suggest, Sir, to these communities: Please do not fight amongst yourselves.

Sri N. RACHIAH.—The Central Government has made it very clear that only untouchability should be taken into consideration in classification of people as Scheduled Castes. We have to respect that directive and we have to formulate and determine only on that basis. With regard to Bovis and other communities, they do not suffer from the stigma of untouchability and therefore they have to be included in backward classes but they will continue to get the educational facilities they were hitherto enjoying. That is very clear from the Central Government's directive.

Sri V. SRINIVAS SHETTY.—If it is the Central Government's directive, it is very unfair and unjust. That is a directive which no intelligent person can understand or appreciate. It is the educational and economic upliftment which every community wants now. I, therefore, request the Government not to agree to exclude some of these communities which are not only socially backward, but also educationally and economically backward. I would consider the econmic and educational upliftment as foremost. It is my point of view, Sir.

Sri C. J. MUCKANNAPPA.—Sir, Government said that the Government of India sent a directive. May I know under what provision of the Constitution the Centre has given such directives to the State Government?

Sri N. RACHIAH.—With regard to the determination of Scheduled Castes and Scheduled Tribes, the power vests with the President and the Central Government. It does not even vest in the Central Government or State Governments as such. Therefore we cannot disregard the Central directive. Supposing they ask us to include all the communities, we do not object. It is entirely left to their discretion. It is within their powers.

Sri V. SRINIVAS SHETTY.—Sir, I only wish to tell my Scheduled Caste friends that they should be united and not start quarrelling among themselves. You should be the best judge as to who is really backward.

With these few words, and with due respect to some of the Members of the Opposition side, I welcome this amendment to continue reservation for another ten years more.

Sri KADIDAL MANJAPPA (Minister for Revenue).—Mr. Speaker, Sir, I had no idea of intervening in the debate but for the remarks made by some Hon'bl Members with regard to grant of land and with regard to the eviction of

the Scheduled Castes people from the land. It is very clear that the Government enunciated the policy of granting lands to poor people, preference being given to the Scheduled Caste people. The rules provide for such preference being given to the Scheduled Caste people. The Government is as anxious as the Hon'ble Members to give lands to the Scheduled Caste people as far as possible. There appears to be a misconception in the minds of some people that Government is driving out the Scheduled Caste people who are in occupation of the land. In recent years a tendency has developed among some people to occupy Govt. lands without the permission of the competent authorities. As a result disputes and clashes are to be seen in some places. To avoid lawlessness the Government have issued a circular asking the Revenue Authorities to put down lawlessness and unauthorised encroachment on Government land. This does not mean that we are not sympathetic towards the Scheduled Caste people. Whether they are Harijans or Caste Hindus, we try to put down unauthorised occupation. I do not think that it is the intention of this Hon'ble House that we should encourage lawlessness and that we should permit all people to occupy Government land wherever they are situated. The Government have commenced a drive to distribute all the available land within a period of one year. I have already said that during the last five months the Government have been able to distribute 1½ lakhs of acres. We have appointed a special staff also for this purpose. I may assure the Hon'ble Members that out of the 1½ lakhs of acres we have distributed within a period of five months the major portion of land has gone to the Scheduled Caste people. Wherever there are vast areas of land available for disposal, we have appointed a special staff and not in all the districts.

Sri J. P. SARWESH.—In Gulbarga and Bidar no excess land is available in any village.

Sri KADIDAL MANJAPPA.—There is genuine trouble. I understand the anxiety of the Hon'ble Members and I understand the feelings of the downtrodden community. We are also anxious to help them. Our friends, the Scheduled Caste people, are not willing to go and settle down wherever land is available. There is not enough land available for distribution in places where they are demanding it. Some Hon'ble Members have said that there is reservation for gairon but not for human beings. It is true that according to the rule that is now in force the Government is prevented from distributing gairon land. Recently, the Revenue Appellate Tribunal has held in a case that even if one person objects to the disposal of gairon land, it should not disposed of. That is the position with regard to gairon land.

Sri C.J. MUCKANNAPPA.—Once you were saying that it was not the duty of Government to provide gomal lands.

Sri KADIDAL MANJAPPA.—I said that it was not proper for Government to acquire gairon land at the cost of Government to provide gairon for the benefit of the villagers. So, let not my friends think that Government is unsympathetic towards the Scheduled Caste people. We are giving lands and while doing so we give preference to the Scheduled Caste people. We only take objection to anybody occupying Government land without the permission of the competent authority. Otherwise, if we encourage this habit of occupying or encroaching upon Government land without anybody's permission, we will be encouraging lawlessness. Who knows, in their anxiety to occupy Government land the Scheduled Caste people may not be successful and powerful men like the Patel and the Shanbogue and powerful vested interests in the village may be able to occupy it to the exclusion of the Scheduled Caste people.

The Leader of the Opposition was pleased to say that each Minister was functioning with the idea of helping his own community people. I am in charge of the Revenue Department but Government is not distributing lands only to the Vokkaligas. When the Chief Minister starts establishing industries he does not do them for the sake of Lingayats. If the Social W lfare

(SRI KADIDAL MANJAPPA)

Minister does anything it is not for the sake of the Scheduled Caste people. That is a wrong statement.

Sri V. SRINIVAS SHETTY.—We are very happy to hear that.

ಶ್ರೀ ಕೆ. ಪಿ. ರೇವಣ್ಣಸಿದ್ದಪ್ಪ (ತಿಪಟೂರು).—ಕೆಲವು ಕಮಿಟಿಗಳನ್ನು ಮಾಡುತ್ತೀರಲ್ಲ, ಅದರಲ್ಲಿ ಎಲ್ಲರಿಗೂ ಪ್ರಾತಿನಿಧ್ಯವನ್ನು ಕೊಡುತ್ತೀರಾ ?

Sri KADIDAL MANJAPPA.—The committees Consist all the elements in this House.

ಶ್ರೀ ಮುಂಜಪ್ಪ ಉಳ್ಳಾಲ್ (ಕಾರ್ಕಳ).—ಹೇಜೆಯೊಳಗೆ ಗ್ರೇಜಿಂಗ್ ಲ್ಯಾಂಡ್ ರಿಸರ್ವ್ ಮಾಡಿದ್ದೀರಿ. ಇದರಿಂದ ವಾಹನಗಳು ಹೋಗುವುದಕ್ಕೂ ತೊಂದರೆಯಾಗಿದೆ. ಹೀಗೆ ಹೇಜೆಯೊಳಗೆ ಗೋಮಾಲ್ ಲ್ಯಾಂಡ್ ರಿಸರ್ವ್ ಮಾಡಿರುವುದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ ?

Sri KADIDAL MANJAPPA.—I do not know that. If the Hon'ble Member brings to my notice specific instances I will take suitable action.

I must once again repeat here that the majority of the members, I believe, are in favour of reserving gairon lands for the benefit of the cattle of the village. Therefore, Government cannot modify the rule against the wishes of the majority of the members of this House.

[MR. SPEAKER IN THE CHAIR]

Sri B. D. JATTI (Chief Minister).—Mr. Speaker, Sir, I have heard very patiently the speeches of some of the Hon'ble Members from the Opposition and also from our side. The question before the House to day is to ratify the amendment to the Constitution which has been passed in both the Houses of Parliament. The amendment is only to extend reservation for ten years more and nothing else. It is the experience of all of us that the Scheduled Caste people have not come up to the standard to which they were expected to come within the period of ten years. That is why it is the feeling of the majority of our people in our country that they need reservation for ten years more. A meeting of the Chief Ministers of all the States was held some time back. At that time this question was discussed and all the Chief Ministers were of the view that it was necessary to give ten more years' time for the Scheduled Caste people. Some of my Hon'ble Friends said that it was absolutely not necessary to have reservation for the Scheduled Caste people. It may be true in the case of the one or two persons like the Hon'ble Member Sri Arumugham who are working in a particular or peculiar area where it is possible for them to be elected but for all the people coming from the Scheduled Castes it may not be possible to be elected so easily unless seats are reserved. That is at least my personal experience.

Secondly, there is no bar for any Scheduled Caste man to contest a general seat along with others and get himself elected. If he has the capacity to do that, it is still better because in addition to the seats reserved for them they will also get some other seats which is to their advantage and not to their disadvantage. In article 368(*d*) reference is made to the representation of States in Parliament and in article 81(*b*) reference is made to the representative to be sent to the two Houses of Parliament. That is why this amendment has been sent to the State Legislatures for getting their ratification. Otherwise, this would not have come before this House.

As we are sending some of the representatives to both the Houses it is necessary for us to send the view points of this House, and the other legislatures also do so. That is why this amendment has been sent to us and moved in the form of a resolution for getting approval of this House.

During the discussions so many observations were made by members regarding the Directives under the Constitution, etc. Those points are not for discussion to day. So it is not correct for me to reply to them. The general observation is that whatever was to be done for the upliftment of Schedules Castes and Scheduled Tribes has not been done to the satisfaction of either ourselves or to the satisfaction of other members. Much more remains to be done and it is necessary to have the full co-operation from all sections of the people. If the Scheduled Castes people feel that they can get the thing

done without the co-operation of other people, it may be difficult to do so quickly and in a better way. I think it is necessary that we should have the co-operation of the people to achieve the result quickly and in a smooth manner. If there is co-operation both from the opposition and treasury benches, the way will be generally very smooth and quick and in that atmosphere we will be in a position to acheive this object easily. So, I request my friends Sri C. M. Arumugham and Sri B. Sham Sunder to co-operate with all of us to uplift the Scheduled Castes and Scheduled Tribes.

Sri C. J. MUCKANNAPPA.—Sir, we are agreeable to this. But, I would like to know whether he adheres to the Constitution in safeguarding the interests of Scheduled Castes and Scheduled Tribes in the matter of appointments, admissions, etc. He has not given any reply to these points. May we know whether he will enlighten us on these matters? He has in an intelligent manner finished his speech within five minutes.

Sri B. D. JATTI.—I also agree that Sri C.J.Muckannappa is an intelligent person. There is no doubt about it because we are seeing every day.

The points which have been raised by some members require a detailed study. I am prepared to get all necessary information as to what has to be done by this Government for the upliftment of Scheduled Castes and Scheduled Tribes. I will place the facts before the house later because this is not the proper time. As far as I can understand, the Goverment is trying to satisfy all the regulations, etc. which have been laid down under the Constitution and whatever has not been done, I am the first man to come before the House and say, "here I have not been able to do so." Let not my friends misunderstand me.

Mr. SPEAKER.—The question is:

"That this House ratifies the amendment to Article 334 of the Constitution of India, proposed to be made by the Constitution (Eighth Amendment) Bill, 1959 as passed by the two Houses of Parliament."

The motion was adopted.

Official Resolution to approve the Amendment to the Rules issued under Section 40 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948.

Sri KADIDAL MANJAPPA (Minister for Revenue).—I beg to move:

"That the following draft of an amendment to the Rules issued under sub-section (1) of section 40 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948 (Madras Act XXVI of 1948), as in force in the Madras Area, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 40 and section 67 of the said Act be approved."

Mr. SPEAKER.—Motion moved:

"That the following draft of an amendment to the Rules issued under sub-section (1) of section 40 of the Madras Estates (Abolition and Conversion into Ryotwari) Act, 1948, (Madras Act XXVI of 1948), as in force in the Madras area, which it is proposed to make in exercise of the powers conferred by sub-section (1) of section 40 and section 67 of the said Act be approved."

Sri KADIDAL MANJAPPA.—This is a simple resolution. The explanatory memorandum makes it clear that there is need for amending the rule in question, *viz.*, rule 3.—Under section 40 the compensation has to be paid in the prescribed manner. Rule 3 framed under section provides for the apportionment of compensation not later than 9 months from the date on which the settlement operation took place. Here a particular case has been explained in the memorandum. The settlement operation were completed on 2nd the August 1956. The amount of